

1 LAW OFFICES OF MICHAEL H. LEWIS
MICHAEL H. LEWIS (88742)
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4 Telephone (415) 296-1460
5 Attorneys for Debtor
LA TORTILLA, INC.
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8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 In re:) Case No. 09-32921
12 LA TORTILLA, INC.) Chapter 11
13 Debtor.)
14)
15)
16)

17 APPLICATION OF LA TORTILLA, INC., TO EMPLOY
18 COUNSEL FOR DEBTOR AND DEBTOR-IN-POSSESSION
19

20 TO: THE HONORABLE THOMAS CARLSON, UNITED STATES BANKRUPTCY
21 JUDGE:

22 The Application of LA TORTILLA, INC., the debtor and debtor-in-
23 possession herein ("Applicant"), respectfully represents:

24 1. Applicant has filed a petition under Chapter 11 of the
25 United States Bankruptcy Code.

26 2. In order to properly perform its duties as

1 debtor-in-possession under Chapter 11, Applicant must have the
2 advice of experienced and competent bankruptcy counsel. In
3 particular, Applicant requires the services of an attorney for the
4 following purposes:

5 a. To advise and consult with Applicant concerning
6 questions arising in the conduct of the administration of the estate
7 and concerning Applicant's rights and remedies with regard to the
8 estate's assets, the claims of creditors and other parties in
9 interest and the negotiation and preparation of a plan of
10 reorganization;

11 b. To appear for, prosecute, defend and represent
12 Applicant's interest in suits arising in or related to its case;

13 c. To investigate and prosecute preference and other
14 actions arising under the debtor-in-possession's avoiding powers;

15 d. To review and object to claims; and

16 e. To assist in the preparation of such pleadings,
17 motions, notices and orders as are required for the orderly
18 administration of this estate.

19 3. Applicant wishes to employ the Law Offices of Michael H.
20 Lewis as its attorney herein. All attorneys at the Law Offices of
21 Michael H. Lewis are members of the State Bar of California and the
22 bar of the Northern District of California. Applicant believes that
23 the attorneys at the Law Offices of Michael H. Lewis are well and
24 sufficiently experienced in bankruptcy law matters and competent to
25 represent it in this Chapter 11 case.

1 4. The Law Offices of Michael H. Lewis has agreed to provide
2 business and bankruptcy law advice and such other legal advice and
3 representation necessary and appropriate in order to assist
4 Applicant in the execution and performance of its duties as a
5 Chapter 11 debtor with compensation to be paid according to its
6 regular hourly rates as set forth in Exhibit A attached hereto and
7 incorporated herein by this reference, and as allowed by this Court.
8 Applicant paid the Law Offices of Michael H. Lewis a retainer for
9 bankruptcy services and in payment of the filing fee for this
10 Chapter 11 case in the amount of \$2,846.80. The retainer was paid
11 on or about September 29, 2009. The retainer amount was paid out of
12 funds of Applicant. The Law Offices of Michael H. Lewis has
13 provided no services to Applicant aside from pre-petition services
14 related to the filing of this bankruptcy case.

15 5. Based on the accompanying Declaration of Michael Lewis
16 filed herewith, Applicant believes that to the best of Applicant's
17 knowledge, the Law Offices of Michael H. Lewis, its members and
18 associates, do not hold or represent an interest adverse to the
19 estate and does not have any connections with the debtor, creditors,
20 any other party in interest in this case, their respective attorneys
21 or accountants, the United States Trustee or any person employed in
22 the office of the United States Trustee except as may be disclosed
23 in the Verified Statement.

1 WHEREFORE, Applicant requests this Court to enter its order
2 approving the employment of the Law Offices of Michael H. Lewis as
3 its attorney in this Chapter 11 case.

4 Dated: November 25, 2009

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6 By: /s/ VICTOR JUAREZ
7 VICTOR JUAREZ,
8 PRESIDENT
9 LA TORTILLA, INC.
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EXHIBIT "A"

LAW OFFICES OF MICHAEL H. LEWIS
PROFESSIONAL'S FEE SCHEDULE FOR 2009

<u>Attorney</u>	<u>Hourly Rate</u>
Michael H. Lewis	\$350.00